

**U.S. Department of the Interior  
Bureau of Land Management**

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**Decision Record**

**April 2016**

**February 2016 Oil and Gas Lease Sale  
(Fishlake National Forest Parcels)**

*Administrative Reviews*

**FIF-0210S-0010E-0001 and FIF-0220S-0010E-0001**

*Location:*

**Fishlake National Forest, Sevier County, Utah**

*Applicant/Address:*

**U.S. Department of the Interior  
Bureau of Land Management  
Utah State Office**

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U.S. Department of the Interior  
Bureau of Land Management  
Utah State Office  
440 West 200 South, Suite 500  
Salt Lake City, UT 84101  
Phone: (801) 539-4001  
Fax: (801) 539-4237



## EXECUTIVE SUMMARY

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The February 2016 oil and gas lease sale was a combined sale of the originally scheduled February 2016 lease sale with the postponed August 2015 and November 2015 lease sales. The February 2016 lease sale included parcels from four Bureau of Land Management (BLM) Field Offices (Fillmore, Price, Vernal and Moab) and parcels from the Fishlake National Forest.

The Fillmore Field Office parcels that were included in the February 2016 lease sale were originally scheduled to be offered at the August 2015 lease sale and an environmental assessment was prepared with that intent. However, due to the number of parcels that the BLM intended to offer at the August 2015 lease sale, the BLM decided to postpone that sale and include those parcels in the next scheduled sale, the November 2015 lease sale. The effect of the postponement was that the November 2015 lease sale would include parcels from the Fillmore, Price, and Vernal Field Offices. Environmental assessments covering the Price and Vernal Field Offices parcels were prepared consistent with that intent.

Due to unforeseen security issues on the day of the November 2015 lease sale, the sale was postponed until the security issues could be adequately addressed. The BLM determined it would be best to hold the next oil and gas lease sale at an off-site location away from the BLM Utah State Office. At the time of the postponement, the next regularly scheduled oil and gas lease sale was the February 2016 sale, at which lease parcels in the Moab Field Office were to be offered. As a result, the parcels intended to be offered at the two previously scheduled lease sales (August and November 2015) were included in the February 2016 lease sale, which was held at the Salt Palace Convention Center. To ensure that the public received adequate pre-lease sale notice concerning the parcels to be offered at the February 2016 sale and to provide enough time for adequate review of the relevant analyses completed in connection with the respective sale dates, a new protest period was opened in December 2015, and it covered all of the previously prepared environmental assessments in addition to the one prepared for the Moab Field Office.

The BLM considered all of the comments received during the December 2015/January 2016 protest period, and all the environmental assessments were revised to final versions. Based on the respective analyses in those documents, the BLM prepared a Finding of No Significant Impact and Decision Record for each group of parcels offered at the February 2016 lease sale.

## DECISION RECORD

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The February 2016 Lease Sale contained parcels from the Fillmore, Vernal, Price and Moab Bureau of Land Management (“BLM”) Field Offices and the Fishlake National Forest. This Decision Record (“DR”) is written only as it pertains to the parcels in the Fishlake National Forest.

### DECISION

It is my decision to implement the Proposal to lease the oil and gas lease parcels described in the Fishlake National Forest Administrative Reviews (“ARs”) FIF-0210S-0010E-0001 and FIF-0220S-0010E-0001 for the competitive oil and gas lease sale held on February 16, 2016 (“Lease Sale”).<sup>1</sup> More specifically, it is my decision to issue oil and gas leases for the four parcels of land (“lease parcels”), with the stipulations and notices (i.e. protective measures) provided for in the Notice of Competitive Oil and Gas Lease Sale (“NCLS”) issued by this office on December 8, 2015, as modified by the errata sheet issued February 9, 2016.<sup>2</sup> This DR addresses oil and gas leasing, as previously described, for the following four lease parcels:

UT1115–224 (UTU91344)  
UT1115–225 (UTU91345)

UT1115–226 (UTU91346)  
UT1115–227 (UTU91347)

### RATIONAL FOR DECISION

Pursuant to requirements under the Mineral Leasing Act of 1920 (“MLA”), 30 U.S.C. §§ 181 *et seq.*, as amended by the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (“FOOGLRA”), Pub. L. No. 100-203, BLM Utah holds competitive oil and gas lease sales, on a quarterly basis, in order to respond to public requests for “nominated” federal lands to be made available for oil and gas leasing. *See* 30 U.S.C. § 226(b)(1)(A); 43 C.F.R. § 3120.1-1. The offering of the Fishlake National Forest lease parcels serve to facilitate the orderly development of fluid mineral resources under the jurisdiction of the BLM in a manner that considers the potential impacts to the environment and other resources that may be present. The Lease Sale meets the purpose and need for action relevant to the responsibilities placed upon the BLM and the U. S. Forest Service pursuant to the MLA.

The lease parcel review process completed by the Forest Service for the Fishlake National Forest oil and gas lease parcels, which included the preparation of the ARs, served to ensure that adequate provisions were included in the standard lease terms, stipulations and lease notices applied to the lease parcels in order to protect public health and safety and assure full compliance with the objectives of the National Environmental Policy Act of 1969 (“NEPA”), 42 U.S.C. §§ 4321 *et seq.*, the National Historic Preservation Act (“NHPA”), 16 U.S.C. §§ 470 *et seq.*, the Endangered Species Act (“ESA”), 16 U.S.C. §§ 1531 *et seq.*, and other federal laws and regulations designed to protect the environment of the Nation’s federal lands. The

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<sup>1</sup> Copies of the ARs may be obtained by accessing the February 2016 Oil and Gas Lease Sale Project webpage: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=73177>

<sup>2</sup> Copies of the NCLS may be obtained by accessing the BLM Utah oil and gas lease sale website: ([http://www.blm.gov/ut/st/en/prog/energy/oil\\_and\\_gas/oil\\_and\\_gas\\_lease.html](http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html))

ARs, dated April 30, 2015, verified that the analysis in the Fishlake National Forest Oil and Gas Leasing FEIS/ROD (2013) is adequate to offer the parcels for lease and provided the BLM with Forest Service consent to lease the parcels. The BLM adopted the 2013 Fishlake National Forest FEIS with its own Record of Decision on February 10, 2015, and this decision record (“DR”) adopts the conclusions of the ARs.

## **APPEALS**

This decision may be appealed to the Interior Board of Land Appeals, (the “Board”) Office of the Secretary, in accordance with the regulations contained in 43 C.F.R. Part 4 and the Form 1842-1.<sup>3</sup> If an appeal is taken, the notice of appeal must be filed in the BLM Utah State Office within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay, pursuant to 43 C.F.R. § 4.21, during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay must show sufficient justification based on the standards listed below. If a stay is requested the appellant has the burden of proof to demonstrate that a stay should be granted.

### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall be evaluated based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant’s success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Copies of the notice of appeal, petition for stay, and statement of reasons also must be submitted to the party named in this decision and to the Office of the Solicitor, Intermountain Region, 125 South State Street, Suite 6201, Salt Lake City, Utah 84138, at the same time the original documents are filed in the Utah State Office.

### **Signed:**

/s/ Roger Bankert, Acting  
Kent Hoffman, Deputy State Director  
Division of Lands and Minerals  
Utah State Office

4/19/2016  
Date

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<sup>3</sup> A blank Form 1842–1 may be obtained using the contact information provided on the cover-page of this document.